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June 2, 2023

By ECF

Honorable Katherine Polk Failla
United States District Court, Southern District of New York
40 Centre Street
New York, New York 10007

Re: Taveras v. City of New York, 20 CV 1200

Your Honor:

I am an Assistant Corporation Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for defendant in the above-referenced matter.

I am writing jointly with plaintiff's counsel in response to the Court's Order issued on May 17, 2023 following the status conference held in this matter on the same day, directing the parties to submit a motion schedule in the event that the parties have been unable to settle the remaining claims. As the parties are unable to settle the remaining claims, the following briefing schedule is proposed:

- Plaintiff will amend the Complaint by June 16, 2023
- Defendant will file an Answer to the newly Amended Complaint by July 14, 2023
- Plaintiff will move for summary judgment by August 11, 2023
- Defendant will cross-move for summary judgment and oppose plaintiff's motion by September 22, 2023
- Plaintiff will submit opposition to defendant's motion and a reply in further support of his motion by October 13, 2023

- Defendant will submit a reply in further support of its cross-motion by November 9, 2023

Additionally, as discussed at the conference, while the parties anticipate moving solely on liability initially and litigating damages only in the event defendant is found liable, defendant reserves the right to depose plaintiff prior to the issuance of a decision on the motions for summary judgment.

Thank you for your consideration in this matter.

Respectfully submitted,

Kerri A. Devine /s/

Kerri A. Devine
Assistant Corporation Counsel

cc: **By ECF**
Amy L. Bellantoni, Esq.